

4-26-01

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UTILITY PATENT APPLICATION TRANSMITTAL

Address to: Box PATENT APPLICATION Commissioner for Patents United States Patent & Trademark Office Washington, D.C. 20231	Attorney Docket No.	BOET 0130 PUS
	Inventor(s) or Appn. Identifier	Jurgen Bode Jose Seibler Dirk Schuebeler

1. This application entitled METHOD FOR MARKER-FREE REPETITIVE DNA EXPRESSION CASSETTE EXCHANGE IN THE GENOME OF CELLS OR PARTS OF CELLS is:

- a. ☐ A new application under 37 C.F.R. § 1.53(b).
- b. ☒ A ☒ continuation ☐ divisional or ☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No. 09/257,561 filed on February 25, 1999, entitled METHOD FOR MARKER-FREE REPETITIVE DNA EXPRESSION CASSETTE EXCHANGE IN THE GENOME OF CELLS OR PARTS OF CELLS.
- c. ☐ A new utility application which claims the benefit of provisional application Serial No. , filed on .

Application elements and other attached papers:

2. ☒ Specification (including Claims and Abstract) [Total Pages 26]
3. ☒ Drawings (☐ informal / ☒ formal) [Total Sheets 3]
4. ☒ Oath or Declaration
- a. ☐ Newly-executed
- b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))
5. ☐ Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
- a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL and the documents referred to as attached therein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Box Patent Application, Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:

Express
 Mail Label No. EL 481734274 US

DONNA L. SCHULTE

(Type or print name of person mailing paper)

Date of Deposit: April 25, 2001

(Signature of person mailing paper)

7. Preliminary Amendment:

- a. ☒ A Preliminary Amendment is attached.
- b. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee.
- c. ☒ Please amend the specification by inserting before the first line the following sentence:
- "This is a ☒ continuation
_____ divisional
of copending application(s) serial number 09/257,561
filed on February 25, 1999."
- d. ☐ A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

8. Small entity status:

- a. ☒ Applicant claims small entity status.
- b. ☐ Small entity status was claimed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer desired.

9. Fee Calculation:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c))	11 -20 =	---	x 18.00	-0-
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	1 -3 =	---	x 80.00	-0-
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			270.00	-0-
BASIC FEE (37 C.F.R. § 1.16(a))				710.00
TOTAL OF ABOVE CALCULATIONS				710.00
REDUCTION BY 50% FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. §§ 1.9, 1.27, 1.28)				355.00
\$40.00 ASSIGNMENT RECORDAL FEE (if applicable)				-0-
TOTAL				355.00

10. X A check in the amount of \$355.00 is enclosed.
11. X The Commissioner is hereby authorized to credit overpayments or charge the following fees (or any deficiency therein) to Deposit Account No. 02-3978:
- a. X Fees required under 37 C.F.R. § 1.16.
- b. X Fees required under 37 C.F.R. § 1.17.

12. Maintenance of Copendency of Prior Application

☐ A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until _____.

13. ☐ An Information Disclosure Statement (IDS) is attached, along with the following indicated attachments thereto:

a. ☐ Form PTO/SB/08 (_____ sheet(s))

b. ☐ Copies of references cited

14. ☐ Certified copy of priority document(s)

15. ☒ Return Receipt Postcard

16. ☐ Other: _____

17. ☐ An Assignment of the invention to _____
having an address of _____

a. ☐ is attached.

b. ☐ was recorded on _____ at Reel _____, Frame _____.

c. ☐ Applicant requests that the above assignee information be published with the application.

18. The power of attorney in the prior application is to:

William G. Conger 31,209
Name of Attorney of Record Reg. No.

☒ The power appears in the original papers in the prior application. A copy is attached herewith.

☐ The power does not appear in the original papers, but was filed on _____.

☐ A new power has been executed and is attached.


19. Correspondence Address: Please address all future communications to:

WILLIAM G. CONGER
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Respectfully submitted,

JURGEN BODE ET AL.

Date April 25, 2001


Name: WILLIAM G. CONGER
Registration No.: 31,209

☒ Attorney or agent of record
☐ Filed under Rule 34(a)